IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI
and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO.9890 of 2004

Between:

M/s. Srinivasa Cotton & Oil Mills,
Varagani, Guntur District rep by Director,
Sri P.S. R. Murthy **..... PETITIONER**

AND

1.The Commercial Tax Officer, Lalapet Circle, Guntur
2.The Deputy Commissioner (CT) Guntur
3.The Additional Commissioner (CT)(L)
Andhra Pradesh, Hyderabad **..RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or order or direction particularly one in the nature of Writ of Mandamus granting stay of collection of the disputed tax of Rs.1,80,780/- arising in pursuance of the stay rejection order of the third respondent dated 01-03-2004 passed in CCT's Ref.LV (1)/3205/02 for the assessment year 2000-2001 under the APGST Act pending disposal of the appeal before the Sales Tax Appellate Tribunal.

For the Petitioner: MR.S.KRISHNA MURTHY, Advocate.

For the Respondents: The Govt. Pleader for Commercial Taxes.

The Court made the following :

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ORDER: (PER SRI BN, J)

Heard learned Counsel for the parties.

The Additional Commissioner has rejected the application for stay while the application is pending before the Sales Tax Appellate Tribunal.

In the interest of justice, we direct that there shall be stay of recovery of tax if half of the liability is paid within a period of four weeks, pending appeal. Writ Petition is accordingly disposed of. No costs.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

Copy to:

1.The Commercial Tax Officer, Lalapet Circle, Guntur
2.The Deputy Commissioner (CT) Guntur
3.The Additional Commissioner (CT)(L)
Andhra Pradesh, Hyderabad
4.Two CCs to the G.P. for Commercial Taxes,
High Court Buildings, Hyderabad (O.U.T)
5.Two CD copies.

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